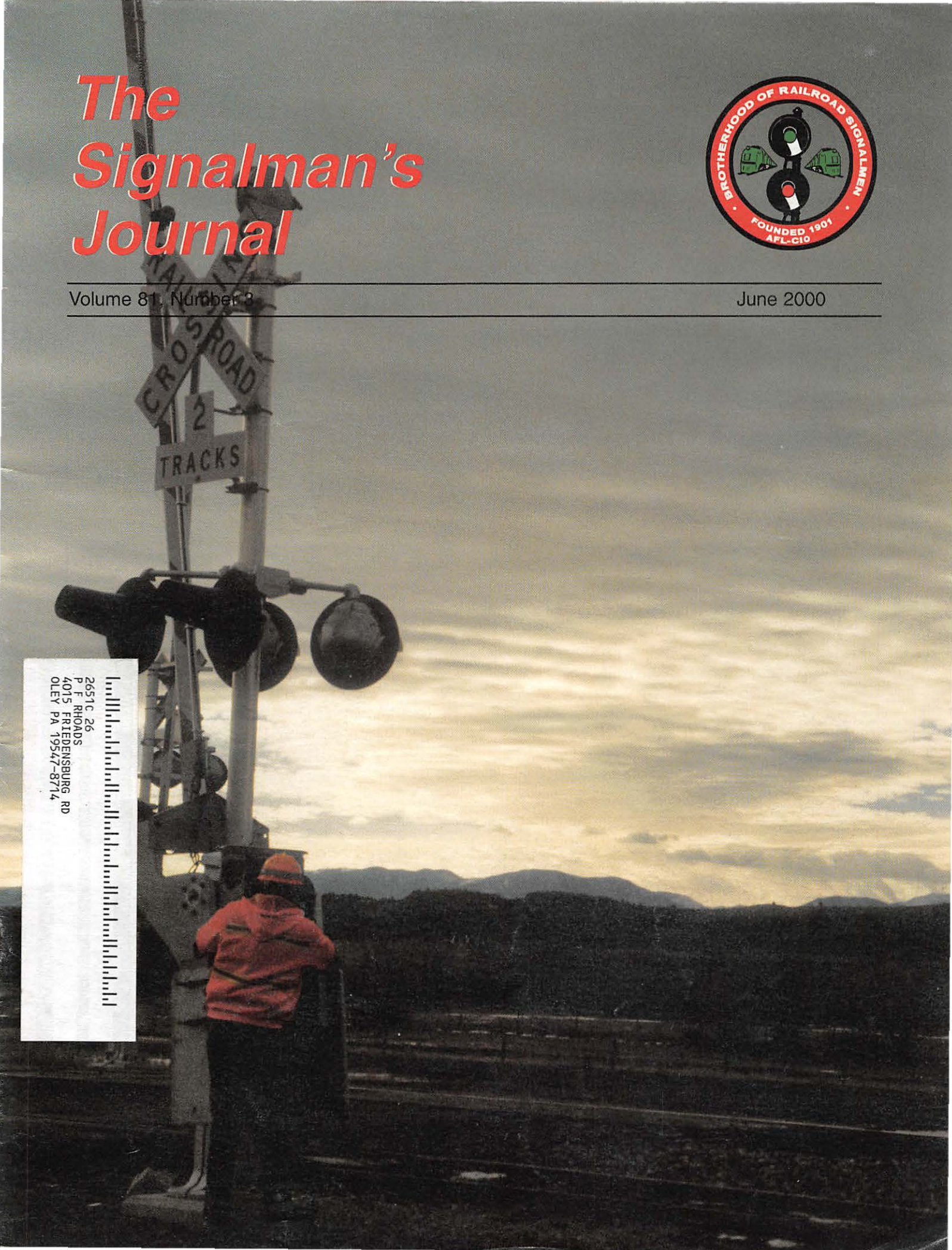
The Signalman's Journal

Volume 81, Number 3 June 2000



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Rebekah Parker Will Receive Union Plus Scholarship
Father is Member of BRS Local 129

Washington, D.C. – Rebekah Parker will receive a $500 scholarship from the Union Plus Scholarship Program. Rebekah's father, Robert, is a 22-year member of Local 129 of the Brotherhood of Railroad Signalmen (BRS).

Originally from Owasso, OK, Rebekah is a freshman advertising major at the University of Texas at Austin. "It seems that my strongest abilities lie in communication through design and creativity," Rebekah says.

As a student at Owasso High School, Rebekah maintained a 3.8 grade point average and received several honors and awards. She was a member of the National Honor Society, was listed in Who's Who Among American High School Students, and received the National Organization for Women's Karen Silkwood Award. She entered college as the recipient of the Texas Eyes Scholarship, the Burlington Northern Santa Fe Foundation Scholarship, and the James A. Bush Scholarship.

Outside of the classroom, Rebekah participated in soccer, cross-country and holds a black belt in Tae-Kwon-Do.

'The Leaders in Their Group'

The students selected for the Union Plus Scholarship represent a wide sampling of demographics, union affiliations, goals and accomplishments. Representatives from the American Association of Community Colleges, the American Association of State Colleges and Universities, the National Association of State Universities and Land Grant Colleges, and the United Negro College Fund judged the applications.

In the words of one judge, "[These students] are not only doing things. They're the leaders in their group."

The Scholarship Program

Since 1992, the Union Plus Scholarship Program has helped fulfill the educational dreams of students representing more than 13 million working families across the nation. The Union Plus Scholarships are presented annually to union members or members of their families who want to begin or continue their college education.

This year, 126 students, representing 33 AFL-CIO unions, have been selected, from a pool of 4,800 applicants, to receive more than $200,000 in scholarships. The amounts of the scholarships range from $500 to $4,000.

In addition to demonstrated academic ability, applicants submitted essays of no more than 500 words describing their career goals, detailing their relationship with the labor movement, and explaining why they are deserving of a union scholarship.

The program is open to members of participating unions, their spouses and dependent sons and daughters attending, or planning to attend, a four-year college or university, community college, technical college or trade school.

The program is funded and administered by Union Privilege and Household Credit Services. It is part of the union-endorsed Union Plus Credit Card Program.

More than 3 million union members carry the Union Plus Credit Card, a MasterCard with no annual fee, and a low variable Annual Percentage Rate. Eligibility in the program is not contingent upon carrying the card, which is issued by Household Bank (Nevada), N.A., an equal-opportunity lender.

2001 Applications

Applications for the 2001 awards will be available in September 2000. To download the application from the Union Privilege website, go to http://www.unionprivilege.org. Or, clearly print your name, return address, telephone number and international union affiliation on a postcard, and send it to: Union Plus Scholarship Program, P.O. Box 34800, Washington, D. C. 20043-4800.

Application deadline is January 31, 2001. Recipient's names will be announced May 31, 2001. However, due to the high volume of applications, only winners will receive notification.

The Signalman's Journal

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COVER: C.T.C. Maintainer Bill Carlson adjusting gate mechanism near Bridger Montana. Photo Submitted By: G.T. Urfer.

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George Meany Center for Labor Studies Training—Time Well Spent

PRESIDENT'S COLUMN

Recently 30 members of the Brotherhood of Railroad Signalmen spent a week of training at the George Meany Center for Labor Studies in Silver Spring, Maryland. Those in attendance consisted mainly of General Chairmen and members of the Grand Lodge Grand Executive Council.

This week of training was specifically tailored to the needs of the BRS. The first day's session covered the topic of Negotiating Skills and was led by Dr. Marvin J. Levine. This session proved very beneficial because of the influx of new General Chairmen in the organization.

On the second day the group received training on how to successfully lobby Capitol Hill. For the duration of the day each BRS member went to the U.S. House of Representatives and the U.S. Senate to contact their individual U.S. House of Representative and both U.S. Senators. This resulted in discussions with over 30 U.S. Representatives and 60 U.S. Senators from many States. What did your representatives discuss while on Capitol Hill? We were presenting the position of the Brotherhood of Railroad Signalmen on the pending legislation, which would reduce our retirement age to 60 with 30 years of service and improve benefits for surviving widows. We made valuable contacts and received many commitments to cosponsor and support the upcoming legislation. Making this personal contact and explaining what our concerns were with the issue was time well spent. When the changes in Railroad Retirement benefits was explained in detail, both Republicans and Democrats alike were very receptive to language contained in the proposed legislation.

During lunch that day we were honored to have Minnesota U.S. Congressman James Oberstar address our group. Representative Oberstar committed to sponsoring the bill for improving Railroad Retirement benefits. He stressed that it was time to restore what railroaders once had, specifically the 60/30 benefit and it was time to correct the injustice that widows(ers) must endure when their spouse passes away.

After the third day of training all members of the BRS group were invited to attend an evening tribute to President Clinton at the MCI Center in Washington, DC. President Clinton stated that the true corruption in politics occurred when the Republican's used soft money to fight the Family and Medical Leave Act, the Brady Bill, and other legislation that the working people in America need to live productive and safe lives. Vice President Gore spoke to the group and promised that if elected he would pass legislation restricting soft money, increase the minimum wage another dollar an hour and promised to continue supporting worker's rights. By attending this tribute we were able to show that the Brotherhood of Railroad Signalmen was involved with the election of our present President and we will be involved with the election of the next president.

During the fourth day of training Attorney Rich Edleman and Arbitrator S. Rosen covered employee protection in the railroad industry. Mr. Edleman explained that much of the employee protection that is contained in the existing laws have been slowly stripped away by improper interpretations by republican appointed judges. In order to regain what was bargained for we need to get politically involved so that when a judge gets appointed they will not be afraid to interpret the laws properly, instead of worrying of how the law can be misconstrued so that it will benefit management.

The BRS members in attendance at the George Meany Center for Labor Studies learned many valuable lessons. The first lesson we learned is the

importance of political involvement by every BRS member. We need to elect individuals that support labor and the working people of America. Party affiliation does not matter. What is important is whether the individual supports the rights of working men and women? When you ask and answer that question you will have the direction you need and in your heart you will know who to vote for in the upcoming election. It is very important for each of us to vote and never more important than this election.

The second and most important lesson is that training is vital to the continued growth of any union. The week of training allowed all of the BRS leaders to continue that growth.

I remain, in solidarity,

W. Dan Pickett

Get to Know George Bush

By Jim Hightower

Shrub Bush is our darling governor here in Texas—he's the darling of America's moneyed interests. Hip-hip-hooray, let's make George Bush president with his darling campaign slogan: compassionate conservative! Shrub's only problem is that the election isn't today. There's still lots of time for folks to get beneath the surface of the little darling and to realize there's not much there—the clothes have no emperor.

Bush cites his gubernatorial record as evidence that he is now ready to lead this nation. But, alas, Texas ranks at the bottom in the number of college degrees awarded, children who have health insurance, high school completion rates, spending on natural resources and parks, doctors per capita, average earnings per worker, home ownership, tax fairness, health care for workers and prenatal care for women. This is leadership?

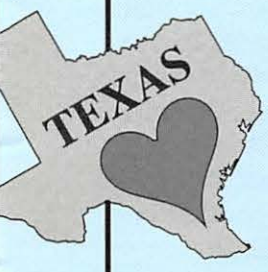
However, to be fair, I must concede that Texas does rank right at the top in several other categories, such as pollution, poverty rate, teenage unemployment, adult unemployment, cancer risks and people without health insurance, job-related deaths and putting people in prisons. This is compassion?

Well, Bush does have a compassionate side—in fact he showed it when he said, "There's a lot of people hurting?" He was not referring to children without health insurance but to Texas oil well owners. He pushed a $45 million tax break for them through the legislature while killing a provision to provide health insurance to 200,000 Texas children.

The author Texan Jim Hightower publishes "The Hightower Lowdown." For more information on Jim's columns, visit www.alternet.org.

From Texas, With Love

The State of Texas under Gov. Bush is ranked:



- **50th** in spending for teachers' salaries
- **49th** in spending on the environment
- **48th** in per-capita funding for public health
- **47th** in delivery of social services
- **42nd** in child-support collections
- **41st** in per-capita spending on public education
- **5th** in percentage of population living in poverty
- **1st** in air and water pollution
- **1st** in percentage of poor working parents without insurance
- **1st** in percentage of children without health insurance
- **1st** in executions (averaging one every two weeks for Bush's 5 years)

A Global Cause

SECRETARY-TREASURER'S COLUMN

All the talk of globalism and free trade with our "booming economy" leaves many workers in the rail industry wondering, what does this mean to me.

Well, it means that the many industries that support our neighbors and our middle class lifestyle are moving out of America in search of the lowest wages. Autos, apparel, and appliances, are just a few of the industries to pack up and move to places like Mexico, China, Indonesia, Vietnam, and India. These American companies were profitable while manufacturing their goods and paying a living wage to American workers. So why move? Greed. . . . pure and simple.

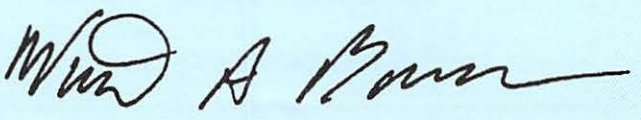
These are the same companies that pay their CEOs 475 times that of the average blue collar worker. When Ronald Reagan took office in 1980 it was 42 times that of the average worker. These are the same CEOs who claim they must move their plants to be competitive. A good example is Jack Welch, CEO for General Electric. His pay is equal to 15,000 workers in GE's Mexico plants. Greed, again the answer to the injustice.

The question is, what do workers in America do? Students on college campuses all across the USA have started a movement called the United Students Against Sweatshops. Their goal is to make sure that the universities products that carry their school's logos, mascots or name do not take part in the sweatshops that exploit children and workers. Students have developed a code of conduct that requires contractors to certify that their products are not made in sweatshops. This means that there is no child labor, no forced labor, factory conditions are safe and healthy, workers can exercise the right to form a union, and that wages are sufficient to cover a family's costs for food, clothing, and shelter. Furthermore, contractors are required to open factories for unannounced inspections and disclose the specific locations of the factories. Nike and the rest must sign an agreement before getting contracts for university logo products.

The AFL-CIO has called for "global fairness." The AFL-CIO Executive Council has stated that the test for globalization is whether it "increases freedom, promotes democracy and helps lift the poor from poverty; whether it is empowering the many, not just the few; whether its blessings are widely shared; whether it works for working people." Clearly today's global market fails that test.

So you ask, what can I do? You can ask your representatives in Washington to make sure that all trade agreements be negotiated to protect, children, workers, and the environment. You can support causes like the United Students Against Sweatshops or when you shop, simply look at the label and buy made in USA products. Make it known in the stores where you shop that you want them to stock products made in the USA. The advent of the internet has made the search for made in the USA much simpler. Sites like the Made in USA Foundation, the AFL-CIO and *workingfamilies.com* are just a few places to look.

Corporations are more than willing to abandon workers in America. Corporate America supports unfair trade so they can move their plants to third world countries and exploit workers who have no unions and no protections. It's time we, who have enjoyed the benefits of a century of trade unionism, ban together to help exploited workers here and around the world. While they call it globalism, the cause is the same. It's a fight for workers rights against corporate greed. It's a fight the trade union movement must continue to fight.



UPDATE

The Social Security Debate & Railroad Retirement

When rail labor and rail management reached agreement in January to improve the railroad retirement system, both sides were optimistic that legislation to implement the improvements would receive bipartisan support. Congress traditionally respected the wishes of the parties when it came to changing the railroad retirement system.

So why has it been so difficult to get the Railroad Retirement and Survivors' Improvement Act introduced to implement the agreement between rail labor and management? Unfortunately, some Republican leaders in Congress wrongly fear that the proposal conflicts with their position on social security reform.

Investing in Equities

At the heart of the controversy are the Act's provisions to invest Railroad Retirement Account funds not needed to pay benefits in the stock market. Such investment in equities is the cornerstone of the agreement. The projected increase in investment returns makes possible the benefit improvements and tax decreases. Without investment in equities, or other revenue enhancing provisions, our representative at the Railroad Retirement Board has clearly stated that any improvements in the current benefit structure would simply not be prudent.

Rail labor did not reach the decision to invest in equities without much study and deliberation. All of rail labor collectively hired an outside expert – KPMG Associates – to independently study the wisdom of investing some of the Railroad Retirement total fund assets in equities.

KPMG reached two conclusions. First, that investing a portion of the funds in equities would significantly increase investment returns over time. KPMG found that even a conservative investment strategy should increase investment returns by 33% (from 6% to 8%).

Secondly, KPMG emphasized that two elements of Railroad Retirement Account assets would have to be invested: the net Social Security Equivalent Account (SSEB) balance (an asset of the Railroad Retirement Account) and the Railroad Retirement Account itself. Railroad Retirement is a very complicated system. It has several different funds. The SSEB Account is an interchange account that receives Tier I taxes and taxes on Tier I benefits. These incoming revenues are credited to Social Security. The account receives an annual credit from Social Security to pay the equivalent of Social Security (Tier I) benefits to rail retirees. After these amounts are netted, at the end of each year approximately $60 million is left in this SSEB account, reflecting minor differences in the amounts received from Social Security to pay benefits, and the amount paid out as Tier I benefits. It is that balance, plus the annual $60 million increment (an asset of the Railroad Retirement Account for accounting purposes), that needs to be invested with the Railroad Retirement Account balances (Tier II) to get the fund into surplus status.

The Railroad Retirement Act clearly anticipates that all accounts, including the SSEB Account, are available to the RRB to pay for benefits provided under current law. The RRB currently has authority to invest the assets of the Railroad Retirement Account and SSEB Account. It just makes good business sense that the Board should invest all available funds to provide the greatest possible return to our system as a whole.

BMWE now falsely claims that it never contemplated investing anything other than 50% of the Railroad Retirement Account and that the SSEB fund balance was off-limits. That's simply a lie. The KPMG study explicitly showed that relying on the assets of the Railroad Retirement Account alone, without tapping the SSEB fund balance, would lead to declining over-all fund balances. To quote KPMG, "If the SSEB account balance was not added into the final balance, the fund would be reporting negative balances." BMWE was party to the KPMG study.

It was only after all of rail labor agreed on the need to invest in equities and on what was to be invested that negotiations seriously took off with the carriers. In every negotiating discussion, the explicit premise was that the Railroad Retirement

Account *and* the SSEB fund balance would be partially invested in equities. No union, including BMWE, ever took exception to that. No union could. Without resort to the SSEB fund balance, talk of any benefit improvements would have been absurd.

From the outset of negotiations, the Railroad Retirement Board furnished the parties with scores of actuarial analyses showing the cost impact of various combinations of proposed benefit improvements and/or tax decreases. Each such RRB projection clearly demonstrated that the SSEB fund balance was the key to reach adequate levels of funding to support benefit improvements. Each such RRB projection clearly demonstrated that the Tier II account standing alone would go negative under each benefit improvement scenario. BMWE even published on its web site several of these projections. Each one shows a declining Railroad Retirement Account balance. The position BMWE is now taking makes a mockery of its claim that it opposes the deal because the benefit improvements are not enough. Under BMWE's new line – invest only 50% of the Tier II Account – no benefit improvements at all would be possible for the foreseeable future.

Although negotiations were difficult and protracted over which side would get how much of the surplus made possible by investing in equities and which side should assume the risk of such investment, there was *never* a single objection raised by any union to the idea that the funds invested would be a combination of the SSEB fund balance and the Railroad Retirement Account. Both the carriers and unions believed that such a course would not implicate questions over social security reform, because there would be no investment in equities of the funds used to pay Tier I benefits. In other words, Tier I benefits would be paid out of the monies received from Social Security for that purpose. Only the annual excess would be invested with our assets of the Railroad Retirement Account.

The initial draft legislation reflected this approach. The bipartisan leadership of the House Transportation and Infrastructure Committee embraced it. Most of the bill's subject matter rightfully fell under the jurisdiction of that Committee, and both rail labor and the carriers were optimistic that a bill would be submitted in mid-March.

However, the part of the bill impacting payroll taxes – including the new provision that called for the carriers having to automatically pay higher taxes if the Railroad Retirement Fund fell below a certain level of funding – came under the jurisdiction of the House Committee on Ways and Means. And that is where the legislation has become needlessly embroiled in the ongoing debate over Social Security.

The Republican leaders of that Committee have staked out a public position on Social Security reform. They favor the establishment of Individual Social Security Accounts, the balances of which would be invested by workers in a range of options – including stocks. They oppose any government entity investing government trust fund balances in the stock market. And Governor Bush recently joined the fray by expressing support for the individual account approach. President Clinton, on the other hand, had suggested in a State of the Union Address the possibility of limited investment in equities of a portion of Social Security. The President has never sent an actual proposal to Congress.

In reality, none of the debate over Social Security is relevant to our Railroad Retirement reform proposal. Individual Retirement Accounts would do nothing in the way of increasing the overall funds available to finance benefit improvements for retirees and active workers and tax decreases for the carriers. Nor is there anyone ready in the Social Security scenario to absorb the risk of equity investing, as the carriers have agreed to absorb the risk under the railroad retirement proposal. The immense difference in size of the two trust funds alone make comparisons almost silly. In Social Security, the fear is what impact investing trillions of dollars will have on the private markets. Under the railroad retirement proposal, we're contemplating investing less than twenty billion dollars – which is less than mid-size state retirement systems invest today.

Nevertheless, when the draft legislation was presented to them, the Ways and Means Republican leadership immediately expressed several objections. In their view, all of railroad retirement – Tier I and Tier II – was government money. Taxes were collected by the U.S. Treasury; benefit checks were cut by the U.S. Treasury. In their view, it didn't matter that Tier II is funded totally by employer and employee taxes, and therefore is more equivalent to a private pension fund. Their response to that argument was that if the parties wanted a private pension fund, Railroad Retirement should be privatized. That, of course,

was a deal breaker to the rail labor coalition.

A second objection was that how could we be talking about reducing the retirement age to 60 when under Social Security the retirement age was being increased.

A third objection was that the ultimate health of railroad retirement was tied to Social Security, and that therefore no changes should be made to Railroad Retirement until Social Security was fixed. (This argument has now been adopted by BMWE in its latest publication.)

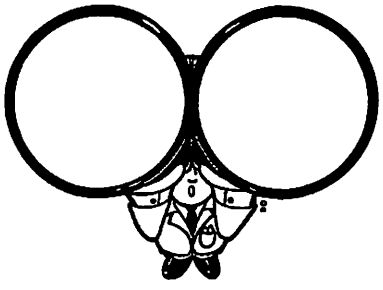
Finally, they objected to the proposed structure, because it had a new committee of the Railroad Retirement Board actually setting the investment policies, and hiring the investment professionals who would make the actual investments. In their view, this equated to the government interfering in the stock market.

However, and significantly, the leadership maintained that they were *not* ruling out eventual support. Rather, they stated they wanted to pursue compromises that would address their concerns.

Thus began what has been a protracted and arduous process of modifying the legislative proposal without affecting any of the fundamental cornerstones of the agreement. The first three objections could not be addressed. But the fourth could be. Several weeks ago the draft legislation was changed to insulate the investment activity from the government. Under this approach, a nonprofit federal corporation – the Railroad Retirement Investment Corporation (RRIC) – would be created with the exclusive purpose of investing Railroad Retirement Account assets entrusted to it. In reality, the RRIC would invest the same assets in the same manner as would have been undertaken by the Committee of the RRB in the original structure proposed in the first draft legislation.

This proposed legislative structure has been circulating on Capitol Hill for several weeks now. It has received broad bipartisan support. However, the Ways and Means Republican leadership has not signed off on it. Discussions continue. We have been open to any constructive suggestions that preserve the fundamentals of the original agreement. *The moment of truth is fast approaching, as the legislative clock is ticking on this legislative session. Our goal is to get a bill that has the backing of all of the bipartisan leaderships of both key committees. But, if that proves impossible, we expect a bill with broad support to be submitted anyway. That is why it is so important that you continue to contact your legislators now.*

Whatever the form of the final bill, rest assured that the benefit improvements will remain intact, that the risk will remain 100% with the carriers, and that the railroad retirement system will not be privatized. Those are the fundamental underpinnings of the agreement that cannot be changed.



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How Al Gore has earned the trust of working families.

✓ Higher Wages.

Gore has worked to raise the minimum wage in 1977, 1988, 1989, 1996. He supports another increase to $6.15.
(AFL-CIO voting record; AP 3/27/99)

✓ Protecting Pensions.

Gore has been a leader in protecting and improving pension benefits for American workers. His work has kept your money safe and he has made it easier to move your pension funds to a new job.
(WH Press Release, 3/30/98; *LA Times* 4/12/96)

✓ A Stronger Voice for You.

Gore opposes "right to work" laws. He opposes laws that would limit your union's ability to fight for you.
(*Newsday*, 3/20/98)

Your union has researched all the candidates for President. Because none scored better on the issues than Vice-President A1 Gore, he has been endorsed by the AFL-CIO.

Vote. You are more powerful than you think.

For more information about these issues visit our website at www.aflcio.org.

Federal Railroad Administration Notice of Safety Advisory 2000-1

FRA is issuing Safety Advisory 2000-1 addressing safety concerns involving Model B1 relays, manufactured by General Railway Signal (GRS), between the years 1960 and 1985, and their potential to stick and remain in the energized position. ALSTOM Signaling, Inc., which has acquired GRS, estimates that approximately 2,000,000 relays are affected worldwide.

In a Safety Notice issued on August 18, 1995, GRS stated that it had received reports of ten incidents of a residual screw in the armature of a Type B1 relay not releasing from the lower core head surface within the specified time. GRS stated that this condition could develop in any application using one or more B1 relays. FRA is concerned about potential malfunctions in such relays which are critical to signal systems and their impact on safety if they do not operate within specified parameters.

In its Safety Notice, GRS concluded that:

1. The condition arises from the transfer of material from the cadmium-tin plated core head to the copper-silicon residual screw, which can cause the residual screw to adhere to the core head.

2. Any B1 relay manufactured by GRS between January 1960 and December 1985 incorporating residual screw Part No. 20360-012-00 (Catalog No. P62-255) could develop this condition.

3. The condition is more likely to occur in B1 Relays normally in the energized position used in one or more of the following circumstances:

a. High temperature, i.e. ambient temperatures above 100 degrees Fahrenheit (38 degrees Celsius) on a regular basis; and/or

b. Number of operations of the B1 Relay is less than four (4) times per day.

In order to avoid this condition, GRS recommended that all B1 Relays manufactured between January 1960 and December 1985 incorporating screw Part No. 20360-012-00 should be modified by replacing the residual screw in accordance with instructions provided by GRS.

FRA has determined that the safety of railroad employees and the general public compels the issuance of this Safety Advisory. Occurrences of GRS B1 Type relay failures have caused FRA serious concern about the safety of certain relays. The relays of concern were first identified by General Railway Signal, now ALSTOM Signaling, in a Safety Notice issued August 18, 1995. Any B1 relay manufactured by GRS between January 1960 and December 1985 incorporating residual screw Part No. 20360-012-00 (Catalog No. P62-255) could develop the condition of concern. The condition arises from the transfer of material from the cadmium-tin plated core head to the copper-silicon residual screw, which can cause the residual screw to adhere to the core head, not allowing the armature to release from the lower core head surface within the specified time. The GRS recommended corrective action was to clean the relays, replace the residual screw, and in some cases replace the relay cores and bracket.

In July of 1999, after B1 relay failures were reported on the signal system of Washington Metropolitan Area Transit Authority, the FRA notified the Association of American Railroads, the American Public Transit Association, and the American Short Line and Regional Railroad Association, making those associations aware of the potential safety issue and asking that they bring the matter to the attention of their members.

Recommended Action

Subsequent to the July 1999 industry notification, additional reports of B1 relay failures have been reported to FRA. Due to these reports FRA is issuing this Safety Advisory, to again make all users of B1 relays aware of the potential problem and its recognized solution. While FRA is not at this time requiring immediate inspection and repair or replacement of all such relays, FRA strongly recommends that railroads accelerate B1 relay inspection and testing programs so that all B1 relays have been inspected (and repaired or replaced, if necessary) as soon as possible. FRA further recommends that all inspection and testing forces be made aware of this problem and especially of the likelihood that the condition is more likely to occur in B1 relays normally in the energized position and used in high temperature on a regular basis, or in which the number of operations of the relay is less than four times per day, (See GRS Safety Notice).

FRA notes that present railroad safety regulations at title 49 of the Code of Federal Regulations require periodic testing of each relay affecting the

Continued on Page 25

Brotherhood of Railroad Signalmen Legislative Update 106th Congress

Amtrak

Despite legislative reforms, the debate over the future of Amtrak and the government's obligation to support a national passenger railroad will continue during the 106th Congress. The BRS believes that if Amtrak is to survive as a safe, efficient and viable link in our transportation system, it must receive both adequate and reliable federal assistance. The myth that national passenger rail service can operate subsidy-free only distracts policymakers from addressing the real issues surrounding Amtrak.

October 9, 1999 – President Clinton signs PL 106-69 into law. This Public Law calls for $571,000,000 in FY2000 funding for Amtrak.

February 7, 2000 – President Clinton submits his FY2001 Budget; asking Congress to Appropriate a total of $521,476,000 in funding for AMTRAK.

Amtrak Reform Council (ARC)

The BRS supports the termination of the ARC. The motives and practices of the so-called Amtrak Reform Council continue to be inconsistent with the survival of Amtrak and it is time to close down this needless and destructive body. It must also be recognized that Amtrak employees have made numerous sacrifices in order to keep the railroad running and any further attacks on this workforce are not only unfair, but will undermine the passenger carrier's long-term survival.

June 23, 1999 - As a result of a bipartisan vote by the House of Representatives to cut funding by 40 percent for the notorious Amtrak Reform Council (ARC), Representatives voted (289-141) in favor of an Amendment offered by Congressman Robert Andrews (D NJ-1) to slash funding for the ARC by $300,00 to last years level of $450,000.

October 9, 1999 – After passing the Senate and Conference Report Approval, the ARC will now receive final funding of $750,000. Although this funding does not reflect Rail Labors efforts, Rail Labor will continue the fight to terminate the ARC through the appropriations process for FY2001.

January 24, 2000 – UPDATE - In its recently submitted report to Congress entitled *A Preliminary Assessment of Amtrak,* the ARC once again demonstrated its ideological bias for eliminating Amtrak. BRS and Rail unions representing Amtrak's 20,000 workers are calling on Congress this year to completely pull the plug on the ARC's funding.

Rail Safety

H.R. 2450, Railroad Safety Reform Act of 1999, was introduced by Congressman James Oberstar (D MN-8) on July 1, 1999. This bill was introduced on the one-year anniversary of the train derailment which caused a massive evacuation in the Congressman's district. This bill addresses working hours, grade crossing problems and safe operation & maintenance of railroad equipment and facilities. H.R. 2450 has been sent to the Ground Transportation Subcommittee to await further action.

H.R. 2683, Federal Railroad Safety Enhancement Act of 1999, was introduced on August 3, 1999, by T&I Committee Chairman, Bud Shuster (R PA-9). This is the Administration's Rail Safety Bill which was put together by the Federal Railroad Administration. The FRA began its preliminary recommendations for this Rail Safety Bill earlier this year with the cooperation of the BRS and Rail Labor. This bill, for the most part, is supported by the BRS

and Rail Labor, but it doesn't go far enough to protect rail employees. H.R. 2683 has been sent to the T & I Committee to await further action.

BRS and Rail Labor have prepared and introduced our own Rail Safety Bill, H.R. 2666, Federal Railroad Safety Enhancement Act of 1999, for the 106th Congress. The bill was introduced by Congressman Ronnie Shows (D MS-4) on July 30, 1999. Rail Labor will now begin the process of lobbying Congress for co-sponsors. The safety agenda will cover:

- No Limbo Time
- Only 12 Hours Work In All Safety Sensitive Areas
- No Harassment and Intimidation of Employee–Subject To Fines Or Prison Time
- Worker Fatigue Issues
- Contractors Complying With All Hours Of Service Provisions

All bills have not moved out of their respective committees. BRS will watch and report any further action.

Hazardous Materials

During the 105th Congress, rail labor defeated damaging hazardous materials reauthorization provisions in the ISTEA reauthorization bill. Rail labor also defeated Senator McCain's (R-AZ) hazmat reauthorization legislation which contained similar language that would have gutted the authority of the Occupational Safety and Health Administration (OSHA) to protect hazmat employees. The 105th Congress adjourned without acting on hazardous materials reauthorization legislation.

Priorities for the 106th Congress include mandated proper training for all transportation workers including signal employees who deal with hazardous materials and nuclear waste.

On March 3, 1999, Transportation & Infrastructure Chairman, Bud Shuster, Introduced H.R. 968, Hazardous Material Transportation Safety Reauthorization Act of 1999. This bill would allow for the funding of the entire HAZ-MAT program by increasing the carriers registration fees beginning on July 1, 2000. The bill would appropriate $13.725 million to the Secretary of the Department of Transportation for FY2000; that is in addition to the $18.3 million which is proposed to be collected through increased carrier registration. BRS opposes this bill in its current form because it would restrict funding for training for HAZ-MAT Firefighters, as well as Signalmen who are first responders.

BRS will monitor the progress of the HAZ-MAT safety Legislation.

Surface Transportation Board (STB) Reauthorization

Congress is again considering reauthorizing the Surface Transportation Board. The biggest concern to Rail Labor and Signalmen is to stop rail carriers and the STB from using rail mergers to arbitrarily break labor contracts. It is the position of the BRS that if a carrier wants to change the conditions of a labor contract it must do so through the negotiation process.

S. 98, Surface Transportation Board Reauthorization Act of 1999, was introduced on January 19, 1999, by Senator John McCain (R-AZ). This bill would appropriate funding for the STB for fiscal years 1999 – 2002. The BRS opposes this bill due to the fact that it fails to address the concern of the STB breaking collective bargaining agreements. The bill was immediately sent to the Senate Commerce Committee to await further action.

On March 15, 1999, Senator Rockefeller (D – WV) Introduced S. 621, Railroad Competition and Service Improvement Act of 1999. Rockefeller has indicated that he's willing to attach an amendment to this bill which should stop the STB and carriers from breaking labor contracts, however in return he wants Rail labor to support his bill. Not all of the Rail Chiefs have taken a position on this bill at this time.

S. 747, Surface Transportation Board Reauthorization and Improvement Act of 1999, was introduced on March 25, 1999, by Senator Kay Bailey Hutchinson (R-TX). The bill is similar to S. 621, in that it is a shipper's bill. This bill, as well as the others, fail to address the issue of the STB's ability to break collective bargaining agreements. Upon introduction the bill was sent to Senate Commerce committee to await further action.

S. 1590, Surface Transportation Board Improvement Act of 1999, was introduced on September 15, 1999, by Senator Michael D. Crapo (D-ID). This bill, unlike the others that have been introduced, will fix the cramdown issue. The bill strikes current law and inserts explicitly that the STB cannot break, modify, alter, override, or abrogate collective bargaining agreements. This bill also asserts that the carrier negotiate with labor in regards to mergers. Upon Introduction of this bill it was sent to the Senate Commerce committee to await further action.

BRS will monitor the activity of these bills.

High Speed Rail

Passenger Rail-Next Generation High Speed Rail: The money for technology development is in the Administration's budget, however, the Administration has not requested any funds for Pre-Construction activities. If the $468 million funding level fails, the Subcommittee may decide to regenerate the Corridor Pre-Construction Program and make $10 million or possibly more available to the states for planning. However, the Subcommittee needs to hear from states that this funding is urgently needed. $468 Passenger Rail fund-The purpose of the Administration's $468 million Passenger Rail fund was to enable Amtrak and states or consortia of states to receive funding for their high speed rail programs. The funding can be used by states any all high speed ground transport projects, including incremental rail, maglev and high speed rail.

FY2001 Budget

With the landmark levels of secured transportation funding made possible by the ISTEA reauthorization (TEA-21) bill many transportation agencies and their programs will receive guaranteed higher levels of spending.

February 7, 2000 – The President transmitted his FY2001 Budget Proposal, which calls for $54.9 billion. This is $4.7 billion more than last years funding.

Some areas of funding contained in the Presidents request:

Federal Railroad Administration	
(Safety and Operations	$103,210,500
(Railroad Research and Development	$26,800,000
(Next Generation High-Speed Rail	$22,000,000
(Alaska Railroad Rehabilitation	$10,000,000
(Rhode Island Rail Development	$17,000,000
(Capitol Grants to the National Railroad Passenger Corporation	$521,476,000
Federal Transit Administration	
(Administrative Expenses	$12,800,000
(Formula Grants	$669,000,000
(University Transportation Research	$1,200,000
(Transit Planning and Research	$22,200,000
(Trust Fund Share of Expenses	$5,016,600,000
(Capital Investment Grants	$529,200,000
(Discretionary Grants	$350,000,000
(Job Access and Reverse Commute Grants	$20,000,000
Research and Special Programs	
(Research and Special Programs	$42,531,000
(Pipeline Safety	$47,137,000
(Emergency Preparedness Grants	$200,000
Surface Transportation Board	
(Salaries and Expenses	$17,054,000
General Provisions	
(Amtrak Reform Council	approx $1,000,000

The Memorial Day Massacre of 1937

by William Bork

In the 1930's Southeast Chicago was a steel town. U.S. Steel, Youngstown Sheet & Tube, Wisconsin Steel, Valley Mold & Iron, and Republic Steel all had plants within block of each other along Lake Michigan and the Calumet River. Steel dominated the area, providing employment for over 20,000 workers. In the spring of 1937, those workers flocked to join the Steel Workers Organizing Committee (SWOC), an industrial union.

SWOC had been established by the Congress of Industrial Organizations (CIO) in June, 1936. By March 1, 1937, CIO head John L. Lewis had succeeded in negotiating a contract with industry giant U.S. Steel, otherwise known as "Big Steel." SWOC then turned its attention to several other steel companies, including Republic Steel, known as "Little Steel."

These companies were prepared to oppose SWOC. Republic Steel and its vehemently anti-union chairman, Tom Girdler, took the lead in the battle. In the spring of 1937, Republic bought thousands of dollars worth of industrial munitions and Girdler stated he would rather "raise apples and potatoes" than deal with Lewis.

The Little Steel Strike began on May 26, 1937. While SWOC shut down other plants in Southeast Chicago and nearby Indiana Harbor, problems developed quickly at Republic.

"Loyal" workers remained in the Republic plant and were housed on cots in the new wire mill. Chicago police broke up every attempt to establish a mass picket line at the long plant gate. Local police clubbed and arrested strikers on May 26 and May 27. In an omen of things to come, they fired their revolvers over the heads of strikers the next day.

In the wake of assurances by city officials that there was no limit on the number of pickets, SWOC called a mass meeting for Memorial Day at its strike headquarters to protest police action.

May 30, 1937 was a hot sunny day in Southeast Chicago. By 3:00 p.m., a crowd of 1,500 persons had gathered to hear speeches praising President Franklin Roosevelt and CIO head Lewis, and denouncing steel boss Girdler and the Chicago police.

A motion to march to the plant gate was made from the crowd and 1,000 people, including women and children, formed a loose formation as they marched behind two American flags. They trudged across a marshy prairie toward the plant chanting "CIO! CIO!" Within a block and a half of the gate, they were confronted by over 200 police blocking their line of march.

Tense Moments

The marchers and police tensely faced each other for several moments, while marchers implored the police to let them pass and exercise their constitutional rights to picket. The police repeatedly ordered the crowd to disperse.

Suddenly, the tension snapped. Police on one flank moved forward swinging their billy clubs. They fired tear gas toward the strikers and confusion ensued in the police ranks. Several officers drew their revolvers and fired into the air, but others in the front ranks fired directly into the now retreating crowd.

Workers Murdered

The entire police line surged forward clubbing anyone in its path. Within minutes, the "massacre" was over and the police began rounding up strikers for arrest. Union members tended to the wounded and injured.

Ten men died of gunshot wounds that day, all shot in the back or side. Thirty people were wounded. The police spread reports in the press that they had been attacked by a communist-led mob and had been shot at first. But a Senate investigation led by Robert LaFollette, Jr. found no evidence of this charge and laid the blame for the violence at the feet of local police officials. A Paramount Pictures newsreel of the massacre clearly showed the brutality of the police in theaters across the country.

Nevertheless, the deaths, black-to-work movements, and anti-union propaganda combined to demoralize the strikers. The strike action was called off in November, 1937. After a series of National labor Relations Board cases, Republic Steel finally signed a contract with the United Steelworkers of America in August, 1942.

U.S. Rep. Nick J. Rahall

Congressman Nick Rahall represents the Third Congressional District of West Virginia. First elected in 1976, Rahall is currently serving his 11th term and is the Dean of the West Virginia Delegation to the House of Representatives.

Rahall is known for his expertise in national policies relating to transportation, and infrastructure, energy and the environment and has been a good friend of the BRS. In his capacity as the Ranking Democrat on the Subcommittee on Ground Transportation, a subcommittee he chaired during the 103rd Congress (1993-1994), of the Committee on Transportation and Infrastructure, Rahall is a national leader in the development of federal highway and transit legislation. Rahall is also a member of the Subcommittee on Aviation of the Transportation and Infrastructure Committee.

In addition, Rahall serves as a senior member of the Resources Committee and was the chairman of the Subcommittee on Mining and Natural Resources for eight years. During that period, Rahall legislated extensive reforms to the Nation's energy and mineral laws to insure a fairer return to the public and increased environmental safeguards. Rahall is a member of the Committee's Subcommittee on energy and Mineral Resources. From the Resources Committee, Rahall initiated the establishment of three units of the National Park System in southern West Virginia.

A 33rd degree Mason, Rahall is a life member of the National Rifle Association, Elks, Moose, and the NAACP. Numerous state and national organizations have recognized Congressmen Rahall for his work in Congress. Named "Coal Man of the Year" by Coal Industry News in 1979 and honored with the West Virginia American Legion's "Distinguished Service Award" in 1984, Rahall is also a recipient of awards from the Sierra Club, Friends of the Earth, American Rivers and the West Virginia Rivers Coalition. In 1996, he was honored with the Highway Safety Leader Award and the "Keeper of the Flame Award" presented by Interior Secretary Bruce Babbitt for his work on behalf of coalfield citizens.

Before his election to the Congress, Rahall served as a staff assistant to U.S. Senator Robert C. Byrd, and as a businessman. Congressman Rahall has three children: Rebecca, Nick Joe, III and Suzanne Nicole, and resides in Beckley, West Virginia.

Joint Meeting of Locals 49 -110

Pigeon Forge, Tennessee
July 15, 2000, at 10AM EST

Holiday Inn
3230 Parkway
Pigeon Forge, Tenn.

Phone 865-428-2700.

Speakers from Provident Insurance, Railroad Retirement Board, FRA and Attorney Bill Tucker.

Senator Charles S. Robb

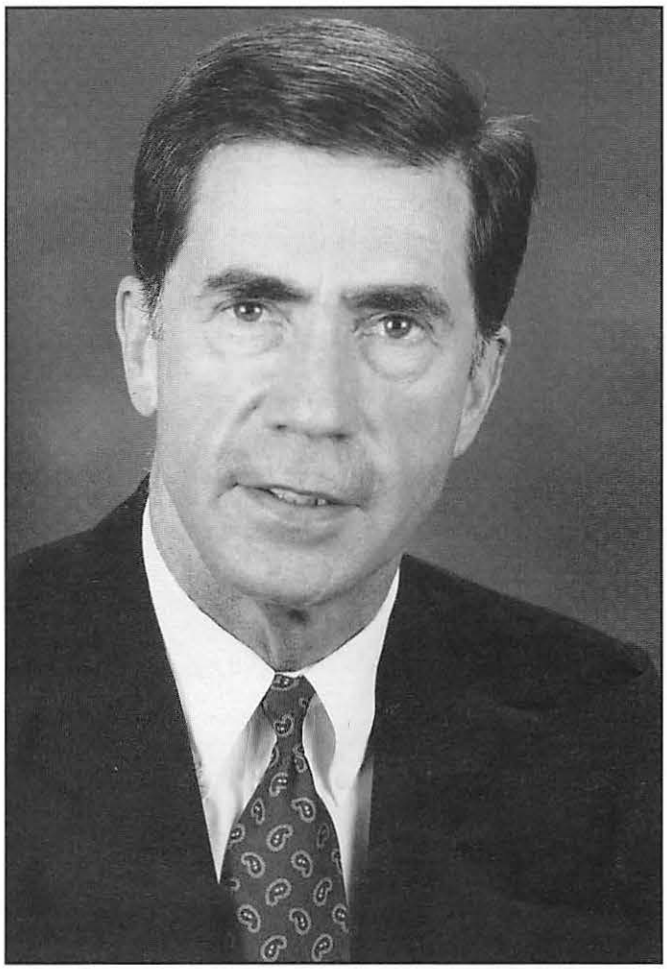
Elected to the United States Senate in 1988 with the largest vote total for any office in Virginia's history and re-elected in 1994 in the most closely watched race in the nation, Senator Charles S. Robb continues to fight to improve education, maintain fiscal responsibility, strengthen national security, protect the environment and end discrimination. A nationally recognized leader on fiscal and national security issues, a moderate, and one of only two senators named to the bipartisan Concord Coalition's annual deficit reduction honor roll "Tough Choices — Who Made Them....and Who Didn't" for the last six consecutive years, Senator Robb has received numerous awards from business, veterans and human rights organizations.

Building on his long-standing commitment to public education, Senator Robb has introduced legislation to help states and localities build and renovate 6,000 schools, promoted legislation to put 100,000 new teachers in classrooms throughout the nation, championed school safety initiatives, and spearheaded an effort, through a public-private partnership called Net Day, to wire Virginia's schools to the Internet.

Senator Robb led the fight in the Senate to bring justice to Black Farmers in Virginia and throughout the nation who suffered discrimination at the hands of the federal government. His legislation ultimately led to the largest civil rights settlement in American history.

One of two Democrats to receive the U.S. Chamber of Commerce's "Spirit of Enterprise" Award in 1998, and a member of the Centrist Coalition in the Senate, Senator Robb has worked to identify bipartisan solutions to many critical public policy issues, including welfare reform, health care reform, regulatory reform and social security reform. In 1991, he was the sole member of the Democratic leadership to actively support a Resolution giving President Bush authority to wage Operation Desert Storm.

Senator Robb is also the only member of the U.S. Senate to ever serve simultaneously on all three national security committees. Said the Virginian Pilot in 1997, "Senator Charles S. Robb is fast emerging as one of the most progressive military thinkers on Capitol Hill."



Senator Robb currently serves on the Finance Committee, the Intelligence Committee and the Armed Services Committee, where he is the ranking member of the Readiness subcommittee and serves on the Seapower and Personnel subcommittees. He is also a member of the Joint Economic Committee and has served previously on the Budget, Commerce and Foreign Relations Committees, as well as the Select Committee on POW/MIA Affairs, where he co-chaired the task force that declassified and released vast quantities of information on missing U.S. servicemen.

As Chairman of the Democratic Senatorial Campaign Committee (DSCC) in 1991 and 1992, Senator Robb surpassed all previous records for fundraising and ended his term with the strongest majority for his party in the last 20 years. He is a founder and past chairman of the centrist Democratic Leadership Council (DLC) which played a major role in shaping the message of change offered by a subsequent DLC chairman — President Bill Clinton.

SIGNALMAN'S STORE

CLOTH EMBLEM of BRS logo has white letters with red and black border, steam and diesel locomotives and green-over-red searchlight signal. Ideal for hats and jackets!

COASTERS are 3-inch diameter plastic with full-color BRS logo.

BRS MASTER NATIONAL AGREEMENT BOOK contains the basic provisions of national agreements negotiated with U.S. railroads and the BRS. The loose-leaf binder with 2-inch rings makes it easy to update or add additional materials, such as local agreements.

SIGNAL TRAINING COURSE as developed by Canadian National Ry., is used in signal training programs by many U.S. railroads. This modern premier training manual contains 4 volumes and 31 sections in one 3-inch binder. (copyrighted)

HISTORY OF THE BRS, ***"THE FIRST 75"*** as written by the late A.E. Lyon, who was BRS president 1934-1945. Contains the Brotherhood's history from its formation in 1901 through 1976. BRS members will enjoy reading about their Brotherhood's history and development.

LAPEL PIN/TIE TACK has the BRS searchlight signal logo with outline and letters in gold. 5/8" in diameter. Makes an ideal hat pin!

LAPEL PIN/WITH STONE SETTING searchlight signal logo with outline and letters in gold. 5/8" in diameter.

KEY TAGS made of solid brass with BRS logo and bound leather backing.

DECALS have the BRS searchlight logo and are available in two diameter sizes - 2" & 4". The 2" decals have a **reflective** image of the BRS searchlight signal and are the perfect size for hard hats. The 4" decals have a **non-reflective** image of the BRS searchlight signal and are the perfect size for windows and bumpers. The inside window decals have a **non-reflective** image of the BRS searchlight signal and can be placed inside to resist the elements. These pressure-sensitive decals are long lasting and easy to apply.

GOLF CAPS have the BRS cloth colorlight emblem stitched into the front. Made of medium-weight cotton, they have an adjustable headband and come in 10 attractive colors (White, Black, Red, Blue, Grey, Advantage Camouflage, Realtree Camouflage, Green Camouflage, and Brown Camouflage).

STANLEY MUG is a hot/cold mug with a stainless steel finish with the BRS logo.

STANLEY THERMOS made of solid steel, unbreakable, with a green finish and BRS logo.

GOLF SHIRTS are available in three colors and made of a cotton/polyester blend, each has the BRS colorlight logo embroidered in red and green.

SPORTS STYLE JACKETS have a medium-weight polyester/cotton blend shell with nylon or polyester lining, elastic wrist and waistbands. Embroidered four-color BRS emblem. Available in white, tan and light gray only.

CANVAS/BLANKET LINED COAT made of 100% cotton canvas and has the BRS colorlight logo embroidered in red and green. Available in black only.

WOOL/LEATHER BRS JACKETS have a heavyweight wool shell, a nylon lining, with leather sleeves and collar. Embroidered four-color BRS emblem. Available in black only.

CANVAS VEST made of 100% cotton canvas and has the BRS colorlight logo embroidered in red and green. Available in brown only.

Minimum order accepted is $15.00 (U.S. Funds)

Make check or money order payable to:

Brotherhood of Railroad Signalmen

Mail payment and order to:

Brotherhood of Railroad Signalmen
Box U
Mount Prospect, IL 60056-9048

NAME_____

CERTIFICATE NUMBER_____

STREET_____

CITY_____

STATE / ZIP_____

The

Signalman's Store

ORDER FORM

Please send me the following

ITEM	QUANTITY	PRICE	TOTAL
Cloth Emblems		2.50	
Coasters		1.00	
BRS Master National Agreement		10.00	
Signal Training Course		50.00	
History of the BRS		10.00	
Lapel Pin/Tie Tack		4.50	
Lapel Pin w/Stone Setting		7.00	
Ref. Decals (2-Inch)		.30	
Non-Ref. Decals (4-Inch)		.25	
Inside Window Decals		.45	
Stanley Mug		14.00	
Stanley Thermos		50.00	
GOLF CAPS			
White		9.00	
Black		9.00	
Red		9.00	
Blue		9.00	
Gray		9.00	
Advantage Camo		9.00	
Realtree		9.00	
Green Camo		9.00	
Brown Camo		9.00	

GOLF SHIRTS	M	L	XL	2X	3X			
Multi-Pattern Brown							35.00	
Multi-Pattern Green							35.00	
White							30.00	
JACKETS								
White							50.00	
Grey							45.00	
Beige							45.00	
COATS								
Wool/Leather							165.00	
Black/Canvas							43.00	
VESTS							39.00	
Available sizes in un-shaded boxes only							TOTAL	

BRS DESIGNATED COUNSEL

When Signalmen suffer a work-related injury or illness, BRS members or their families are encouraged to determine their rights and benefits under the Federal Employers' Liability Act before agreeing to any settlement with the railroad employer. The Brotherhood of Railroad Signalmen has designated the attorneys listed in this directory to serve as qualified counsel for BRS members in employee injury cases covered by FELA.

Attorneys are listed by state and are designated to serve BRS members living or working in the general region of their offices. Designation of FELA counsel is by authority of the BRS Executive Council only.

BRS members are encouraged to provide information regarding FELA cases, including criticism or commendations regarding the service of designated counsel, and information on injuries and settlements. This information, which will be used in the continuing evaluation of this program, should be sent to W. D. Pickett, President, Brotherhood of Railroad Signalmen, Box U, Mount Prospect, IL 60056-9048.

Bold *print denotes additions or changes since the last issue of the Journal.*

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Pittsburgh, PA 15219
Tel. (412) 471-6654
Fax (412) 261-3783

TEXAS
Robert M. Tramuto
Jones & Granger
10000 Memorial Dr.,
Suite 888
Houston, TX 77024
Tel. (713) 668-0230,
800-392-0620 (TX),
800-231-3359

UTAH
Brent O. Hatch
Johnson & Hatch
10 West Broadway, Suite 400
Salt Lake City, UT 84101
Tel. (801)-363-6363,
800-574-6310

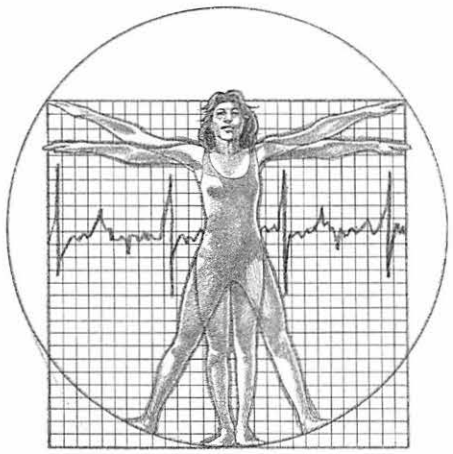
VIRGINIA
Willard J. Moody, Sr.
Moody, Strople & Kloeppel
Commerce Bank Building,
Suite 300
500 Crawford Street
P.O. Box 1138
Portsmouth, VA 23705
Tel. (757) 393-4093,
800-368-1033,
Fax (757) 397-7257

Eddie W. Wilson
Wilson, Hajeck & Shapiro
1294 Diamond Springs
P. O. Box 5369
Virginia Beach, VA 23455
Tel. (757)460-7776
800-752-0042

WASHINGTON, D.C.
Larry Mann
Alper, Mann & Weisbaum
1730 K Street, N.W.
Suite 1107
Washington, DC 20006
Tel. (202) 298-9191,
Fax (202) 298-9194,
800-747-6266

BENEFITS DIRECTORY

Where to file claims for all United HealthCare Insurance policies except Plan D:



United HealthCare Railroad Claims
P.O. Box 30985
Salt Lake City, UT
84130-0985

1-800-842-5252

Where to file claims for United HealthCare Plan D (Under Policy GA-23111):

All claims under GA-23111, Plan D, will be processed in United HealthCare's Salt Lake City office. The new address and telephone number is:

United HealthCare
P.O. Box 30404
Salt Lake City, UT
84130-0404
1-800-809-0453

MetLife Policy GA-23000
Life Insurance Claim Information
MetLife
P.O. Box 6122
Utica, NY 13504-6122
1-800-310-7770

United HealthCare Policy GA-23000
Patient Advocate Program:
1-800-842-4555
United HealthCare Silent Witness Program
To report suspected billing fraud:
1-800-666-FRAUD

Aetna Managed Care Membership Services
P.O. Box 7064
Dover, DE
19903-1512
1-800-842-4044

Mental Health and Substance Abuse Benefits
For treatment, claims or inquiries call:
Value Behavioral Health
(VBH)
800-934-7245
(800-934-RAIL)

Supplemental Sickness Benefits under Group Policy No. R-5000
Where to file claims:
Provident Insurance Co.
Group Railroad Claims
P.O. Box 180135
Chattanooga, TN 37401-7135
1-800-542-4231
Fax: (615) 499-3429

Dental Benefits under Group Policy No. GP-12000
Where to file claims:

Aetna Life Insurance Company
P.O. Box 120
Grand Rapids, MI 49501-0120
(616) 942-6400

Managed Pharmacy Benefit
Retail pharmacy network provides medication for acute, short-term care. Mail-order prescription service provides medication for chronic, long-term care. Managed Pharmacy Benefit is available to members covered under United HealthCare Plans GA-23000, GA-23111 Plan D, and GA-46000.

Merck-Medco Rx Services
1-800-842-0070

Court Rules for Rail in Crossing Lawsuit

Associated Press

WASHINGTON – The Supreme Court has given railroads greater protection against being sued over allegedly inadequate warning devices at rail crossings, the scenes of hundreds of fatal accidents each year.

The justices, voting 7-2 in a Tennessee case, said railroads are not financially liable if the equipment installed at a grade-level crossing was federally funded. The two dissenters said the decision "defies common sense and sound policy."

Congress has provided states with more than $3 billion since 1975 to increase safety at most of the nation's 170,000 public grade-level crossings. During that time, the number of fatal accidents at crossings has dropped from more than 1,500 a year to 431 in 1998.

"Nothing prevents a state from revisiting the adequacy of devices installed using federal funds," Justice Sandra Day O'Connor wrote for the court. "States are free to install more protective devices at such crossings with their own funds or with additional (federal) funding.

"What states cannot do – once they have installed federally funded devices at a particular crossing – is hold the railroad responsible for the adequacy of those devices," she said.

The decision wiped out a $430,765 legal victory Dedra Shanklin had won against Norfolk Southern Railway after the Oct. 3, 1993, death of her husband, Eddie, whose car was struck by a train at a crossing in Gibson County, Tenn.

The Clinton administration and various rail safety groups had urged the court to rule otherwise.

"Rail safety has taken a serious blow," said Robert Pottroff, a Manhattan, Kan., lawyer who represents such groups as Angels on Track, Railwatch and the Coalition for Safer Crossings. "Lives are being lost. I can't believe Congress and the Federal Highway Administration will allow this regulatory scheme to stand."

Frank Brown, an NS spokesman, called the decision "a good one" that "heads off second-guessing about the adequacy of warning devices after they've been installed with federal money."

The Tennessee crossing had a reflectorized sign but no gates or flashing lights to signal a train's approach. Shanklin was driving 20 mph, and he apparently did not hear the train whistle because his windows were rolled up and his radio was playing.

Mrs. Shaklin's lawsuit invoked a Tennessee law and accused the railroad of negligently having failed to install adequate warning devices. But the railroad's lawyers argued that the warning sign had been erected under a state project approved and financed by the Federal Highway Administration.

A federal trial judge and the 6th U.S. Circuit Court of Appeals rejected the railroad's contention that federal approval and funding immunized it from negligence claims, but Monday's decision reversed those rulings.

"Once the FHWA approved the project and the signs were installed using federal funds, the federal standard for adequacy displaced Tennessee statutory and common law addressing the same subject, thereby pre-empting (Mrs. Shanklin's) claim," O'Connor said.

She was joined by Chief Justice William H. Rehnquist and Justice Antonin Scalia, Anthony M. Kennedy, David H. Souter, Clarence Thomas and Stephen G. Breyer.

Justices Ruth Bader Ginsburg and John Paul Stevens dissented. Writing for the two, Ginsburg said the ruling displaced state negligence laws "with no substantive federal standard of conduct to fill the void. That outcome defies common sense and sound policy."

EDUCATION AND JOB TRAINING LOANS FOR UNION MEMBERS

Union Privilege announced its new Union Plus Education Loan Programs to all members of AFL-CIO-affiliated unions.

"This program will enable more than 13 million union members to have access to a complete package of education and job skill training loans," says Union Privilege.

The two types of loans offered, a job training loan and a federal loan for undergraduate schooling for members and their families, offer low—interest rates and fees.

For more information call Union Privilege at 202/293—5330 or see its web site at www.unionpriv.org.

Social Security Amendments Affect Railroad Retirement Earnings Rules

Amendments to the Social Security Act ease the earnings restrictions affecting social security beneficiaries working after retirement. These amendments also apply to annuitants covered by the Railroad Retirement Act. The following questions and answers provide information about this change in the law.

1. Why does this change to the Social Security Act affect annuitants covered by the Railroad Retirement Act?

By law, the Railroad Retirement Board applies the Social Security Act provisions for earnings restrictions to annuities payable under the Railroad Retirement Act. Therefore, under the two tier railroad system, tier I railroad retirement benefits and vested dual benefits paid by the Board to employees, spouses and survivors, as well as tier II benefits paid to survivors, are subject to earnings deductions, just like social security benefits, if earnings exceed certain exempt amounts.

Earnings for these purposes consist of all wages received for services rendered, plus any net earnings from self-employment. Interest, dividends, certain rental income or income from stocks, bonds, or other investments are not considered earnings for these purposes.

2. How does this change affect railroad retirement and social security beneficiaries?

This change to the Social Security Act affects those who have attained full retirement age, currently age 65.

Under prior law, beneficiaries of full retirement age but still under age 70 were subject to an annual earnings limit, which was $17,000 in 2000, beginning with the year in which they attained full retirement age. For those in this age group, the deduction was $1 for every $3 of earnings over the exempt amount. This earnings limit ceased to apply to any beneficiaries age 70 or older, starting with the month in which they were 70.

Under the new law, and retroactive to January 1, 2000, these earnings limitations and deductions are eliminated for those of full retirement age, beginning with the month they attain full retirement age. However, as under prior law, the deduction of $1 for every $3 of earnings over the annual exempt amount will still apply to beneficiaries for all months in the calendar year in which they reach full retirement age, up until the month full retirement age is attained.

Take, for example, a retired railroad employee, who will attain age 65 in June 2000, and is currently working in non-railroad employment. If his earnings exceed $17,000 in the period January through May 2000, his tier I benefit for that five-month period is reduced by $1 for every $3 he earns over $17,000. Beginning with June 2000, no earnings deductions will apply to his tier I benefit, regardless of his earnings for the year.

Or, for another example, a 68 year-old widow working and earning over $17,000 in 2000, whose tier I and tier II benefits have been withheld due to her earnings. Since she is of full retirement age, any benefits withheld for this year will be repaid retroactively, and her annuity will no longer be subject to withholding due to her earnings.

3. Is there any change to the earnings limits that apply to beneficiaries under full retirement age?

No. In the years before the year of full retirement age, the earnings deduction of $1 in benefits for every $2 over the exempt amount, $10,080 in 2000, still remains in effect.

4. Does this legislation affect any of the additional work restrictions that are contained in the Railroad Retirement Act, but not in the Social Security Act?

No. Under the Railroad Retirement Act, an annuity is still not payable for any month in which an annuitant works for a railroad or railroad labor organization, regardless of age. Nor have the special restrictions that apply to disability annuitants changed. However, a rail employee of full social security retirement age, whose rail employment precludes the payment of an annuity, would now not be precluded from receiving any social securi-

ty benefits the employee may previously have been ineligible to receive because of his or her earnings.

In addition, the legislation does not affect the tier II railroad retirement earnings deductions that apply to employees and spouses who work for their last pre-retirement non-railroad employers. These additional deductions of $1 for every $2 in earnings, up to a maximum reduction of 50 percent, continue to apply to tier II benefits, and supplemental employee annuities, regardless of age or the amount of earnings.

An example would be a 67 year-old spouse annuitant working for her last pre-retirement non-railroad employer and earning $20,000 a year. Her tier I railroad retirement spouse benefit is $600 per month and her tier II benefit is $400, before any reductions for earnings.

Because she is working for her last pre-retirement non-railroad employer, her tier II payment was reduced from $400 to $200, in addition to her tier I benefit being reduced by $1 for every $3 of earnings over $17,000. As a result of the new law, her full tier I benefit of $600 is now payable retroactively to January 2000, but the reduction in her tier II benefit on account of her last preretirement non-railroad employment will continue to apply.

5. When will those retirees whose annuities are currently reduced because of excess earnings see an adjustment to their monthly benefit payments from the Railroad Retirement Board?

About 2,500 beneficiaries on the Board's rolls are affected by the new law. Retroactive payments, averaging about $1,700, of benefits previously withheld for excess earnings, as well as the removal of any earnings deductions applied to those affected, should be completed by early July.

6. How can individuals find out more information about how this change affects them?

For more information, individuals should contact the nearest office of the Railroad Retirement Board. Most Board offices are open to the public from 9:00 a.m. to 3:30 p.m. Monday through Friday.

Persons can find the address and phone number of the Board office serving their area by calling the automated toll-free RRB Help-Line at 1-800-808-0772. They can also get this information from the Board's web site at www.rrb.gov.

What Kind of LABOR President Do You Want?

Listed below are the labor records of Presidential candidates Vice President Al Gore (D) and Texas Governor George W. Bush (R). This information was collected from congressional votes, questionnaires, newspaper/magazine articles, television and wire reports, and candidate speeches.

Al Gore (D)

Opposes striker replacement. *(United Press International* (UPI), 6/14/94; Roll Call #121, 6/16/92)	**88% lifetime rating from the AFL-CIO**	**Supports worker's right to organize.** (*KIRO-TV*, 9/9/98; White House web page)	**Opposed company unions.** (*Journal of Commerce*, 2/27/95; *Denver Rocky Mountain News*, 2/28/95; Congressional Record, 7/30/96)	**Opposed anti-union paycheck protection.** (Senate Roll Call 189,7/13/90; *Associated Press* (AP), 8/26/98; *Fresno Bee*, 3/22/98)	**Fought for workplace safety.** (*States News Service* 2/9/94; U.S. Department of Labor press release, 2/1/99)

George W. Bush (R)

Proposed raiding worker's fund to pay for tax cuts. (*AP*, 3/25/99)	**Consistently vetoed pro-labor legislation.** (*AP*, 7/2/97)	**Bush appointee authored radical anti-labor decision in 1998 that eliminated all job protections for workers who take employment-related complaints to their lawers.** (*Fort Worth Star-Telegram*, 10/4/95; *The Nation*, 4/26/99; *Dallas Morning News*, 2/26/98)	**Bush's Texas Workforce Commission wages war on organized labor.** (Editorial, *Austin American-Statesman*, 9/11/97)	**Bush supports anti-labor paycheck protection.** (*The Washington Post*, 7/2/99)	**Bush supports Texas' right-to-work status.** (*Tulsa World*, 2/17/99)

CONTINUOUS MEMBERSHIP

The Brotherhood of Railroad Signalmen, in recognition of BRS members' contributions to the Signalman's craft and their dedication to the principle of trade unionism, has established a Continuous Service program to honor longtime BRS members. Continuous service lapel pins are presented to members every five years, beginning with their 25th year of membership.

The following is a list of the members who recently received Continuous Service pins in recognition of their years as BRS members:

45 YEARS	LOCAL
TL Loeffler	64

40 YEARS	LOCAL
LD Hickman	10
CL Speakman	24
JH Bowers	45
LR Rose	49
RJ Stumpe	72
WF Brown	134
GL Bass	214

35 YEARS	LOCAL
RL Hudnall	2
RM Moser	8
RB Squires	14
GW Bradley	16
WT McCuiston	16
DO Semmens	18
GD Harris	28
HM Huntley	33

30 YEARS	LOCAL
LE Moerke	15
JF Turnwald	16
RA Landis	31
MK Mohler	31
JC Davis	49
JD Davis	49
TL Casperson Sr	52
EH Bashauer	56
JT Southard Jr	56
L Cole	64
RJ Ford	64
JP Doherty	72
DD Edwards	72
ML Gleason	72
DW White	72
MJ Shaw	81
KA Crawford	84
JA Falvo	84
WE Marston	84
JS Molenda	87
LA Roberts	87
JL Smith	94
DW Creech	103
RW Steinman	103
WS Brougher	105
JM Delozier	105
GL Pate	110
RE Wright	126
GA Young	129
RR Corley	141
TJ Sponsel	152
GA Hastings	154
JC Rutten	154
RC Harris	163
WM Davis	188
JS Duplichan	206

25 YEARS	LOCAL
JR Scofield	7
JK Twitchell	8
DJ Witherspoon	13
JJ Daniels	14
RF Shiver	16
LW Weaver	31
DD Morton	40
WD Biddle	49
JE Polk	49
PS Clement	53
WA Groody	56
G Murdolo	56
LG Karpinski	63
TD Miller	72
GT Christie	84
GF Flynn	84
JW Estes	89
SJ Leach	93
RH Lyda	110
JV Pearson	110
MJ Fech	119
LJ Flaherty	119
DE Niswender	119
CR Norby	119
DL Taylor	119
BD Davis	136
RM Roe	136
FM Klinger	154
J Montano	161
JM Anderson	183
PB Forson	216
SS Forson	216
PD Neiderkohr	216

OBITUARIES

JAMES B. AINES-retired member of **LOCAL 215.** Brother Aines retired in 1994 after 42 years of service with CSX Transportation. He was a Signal Maintainer at Ravenna, Kentucky at the time of retirement.

LAWRENCE R. BOLYARD-retired member of **LOCAL 31.** Brother Bolyard retired in 1987 after 27 years of service with CSX Transportation. He was a Signal Maintainer at Newburg, West Virginia at the time of retirement.

DARRELL E. DENUNE-retired member of **LOCAL 87.** Brother DeNune retired in 1998 after 36 years of service with the Burlington Northern Railroad. He was a Signal Inspector at Auburn, Washington at the time of retirement.

HAROLD E. EMERSON-retired member of **LOCAL 14.** Brother Emerson retired in 1978 after 40 years of service with the Grand Trunk Railroad. He was a Signal Maintainer at Perry, Michigan at the time of retirement. Brother Emerson served as a Local Chairman.

BRUCE A. HAZARD-retired member of **LOCAL 14.** Brother Hazard retired in 1995 after 32 years of service with the Grand Trunk Railroad. He was a Lead Signalman at Pontiac, Michigan at the time of retirement. Brother Hazard served as a Local Chairman and Recording-Financial Secretary.

JOHNNY HIBBARD-retired member of **LOCAL 13.** Brother Hibbard retired in 1996 after 33 years of service with the CSXT Railroad. He was a Construction Signal Foreman at Jacksonville, Florida at the time of retirement.

GEORGE KABROTH-retired member of **LOCAL 106.** Brother Kabroth retired in 1985 after 38 years of service with the Pennsylvania and Penn-Central Railroads, Conrail and Amtrak. He was a Maintainer C&S Tester at Harrisburg, Pennsylvania at the time of retirement. Brother Kabroth served as a Local Chairman and Chairman, Board of Trustees for the United General Committee.

RICHARD J. LEIS-active member of **LOCAL 76.** Brother Leis had 38 years of service with the Metro North Railroad. He was a Signal Engineer at White Plains, New York.

DONALD D. MITCHUM-retired member of **LOCAL 155.** Brother Mitchum retired in 1983 after 35 years of service with the Union Pacific Railroad. He was an Interlocking Repairman at Parker, Washington at the time of retirement.

HAROLD H. MOCZYNSKI-active member of **LOCAL 9.** Brother Moczynski had 35 years of service for the Chicago and Northwestern/Union Pacific Railroad. He was a Signal Maintainer at St. Francis, Wisconsin.

HARRISON G. OWEN-retired member of **LOCAL 179.** Brother Owen retired in 1976 after 39 years of service with the Southern Pacific Railroad. He was a Signal Maintainer at Sparks, Nevada at the time of retirement.

ROBERT WALL-active member of **LOCAL 160.** Brother Wall had 24 years of service with Metro North Railroad. He was a Signal Maintainer at White Plains, New York.

MORRIS L. WARRELL-retired member of **LOCAL 45.** Brother Warrell retired in 1990 after 41 years of service with the New York Central, Penn Central Railroads and Conrail. He was a Signalman at Union City, Indiana at the time of retirement.

BN Retiree Can Publish Salary Info, Court Rules

In a court ruling that bolsters the rights of publishers on the Internet, the 8th U.S. Circuit Court of Appeals decided Wednesday that a critic of railroad safety can make public salary information of about 800 employees of the Burlington Northern Santa Fe Railway Co. on his Web site.

The appeals panel lifted a stay that blocked William Purdy a retired BN engineer from South St. Paul, from publishing the names of the employees – along with their salaries - on his Web site, www.bnsf.org. The judges, however, upheld an order that bars Purdy from posting the employees' Social Security numbers.

The case is the first time a federal appeals court has issued a ruling on prior restraint in cyberspace.

Purdy, who has run Web sites highly critical of the railroad for more than three years, said he wants to publish the employee information to support his contention that the railroad spends too much money on management salaries and not enough on railroad crossing safety.

This is just what we wanted," said Purdy, who has been a harsh critic of the railroad's safety practices. "I see it as big victory, not just for me but the whole country."

Indeed, the case is "significant," said David West, co-chair of the e-business practice group at Fredrikson & Byron in Minneapolis. West also sees the decision as another sign that courts are unlikely to treat free press and speech on the Internet any differently than they do for newspapers, television or other media.

A Burlington Northern Santa Fe spokesman was not familiar with the ruling and declined to comment.

Purdy is running Internet Web sites with the names www.bnsf.org and www.bnsf.net. The railroad's Web site is www.bnsf.com.

Last month, the railroad went to court seeking to block Purdy from publishing the names, salaries and Social security numbers of about 800 BNSF employees. Its attorneys argued that Purdy, who the railroad fired in 1990 for alleged insubordination, inadvertently received a sensitive e-mail message on the employees' salaries because of confusion over the Web site names and should return that information.

U.S. District Judge Donovan Frank ruled in St. Paul on March 28 that Purdy could publish the salary information with job descriptions but not the names of the jobholders or their Social Security numbers. Purdy appealed Frank's ruling, contending it was an unconstitutional prior restraint.

Now armed with the appeals court ruling, Purdy said Wednesday he intends to publish the BNSF employee information this weekend unless the railroad asks the U.S. Supreme Court to review the case.

Purdy said he also intends to countersue the railroad for seeking to abridge his free speech rights. He argued that BNSF's legal action hampered his ability to campaign for the company's board of directors.

Safety Advisory 2000-1

Continued from Page 11

safety of train operations (49 CFR 236.106) and each relay affecting the proper functioning of grade crossing warning systems (49 CFR 234.236). FRA further notes that 49 CFR 236.11 and 234.207 require that when any essential component of a signal system or highway rail crossing warning system fails to perform its intended signaling function or is not in correspondence with known operating conditions, the cause shall be determined and the faulty component adjusted, repaired, or replaced with undue delay. Therefore, if the B1 relay fails to perform as intended, pursuant to §§236.11 and 234.207, it must be replaced.

Issued in Washington, DC on May 5, 2000.

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Saving money can be a whole lot easier, thanks to the U.S. Treasury's new EasySaver Plan for U.S. Savings Bonds. Sign up once and automatically purchase U.S. Savings Bonds from your checking or savings account. EasySaver is a safe and easy way to build your savings.
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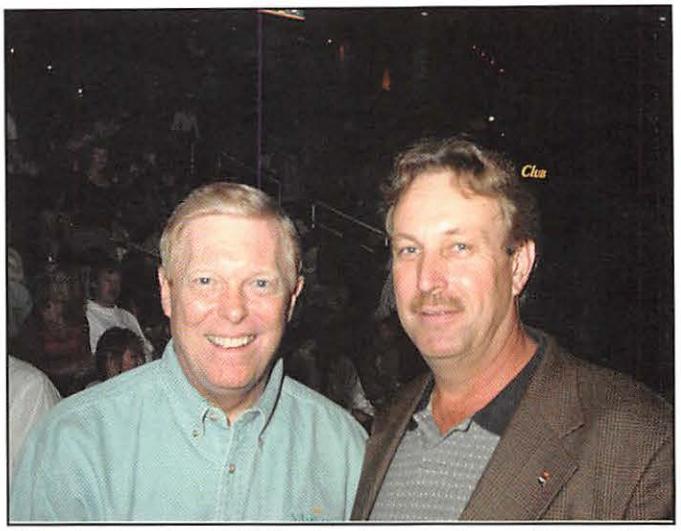
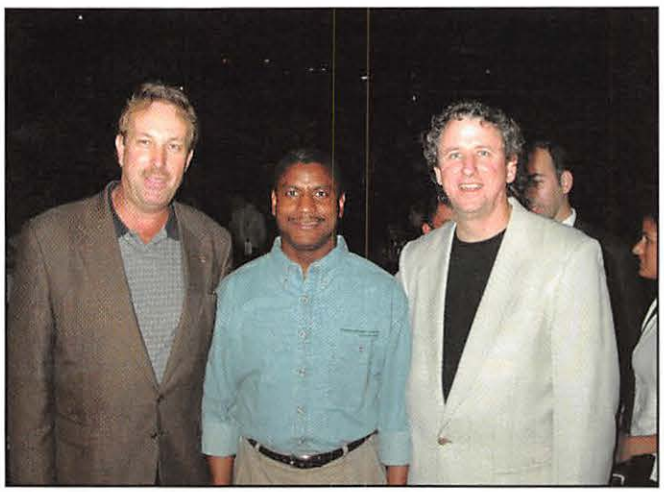
(Key Code 010)

Democratic Fund-Raiser, Washington D.C.

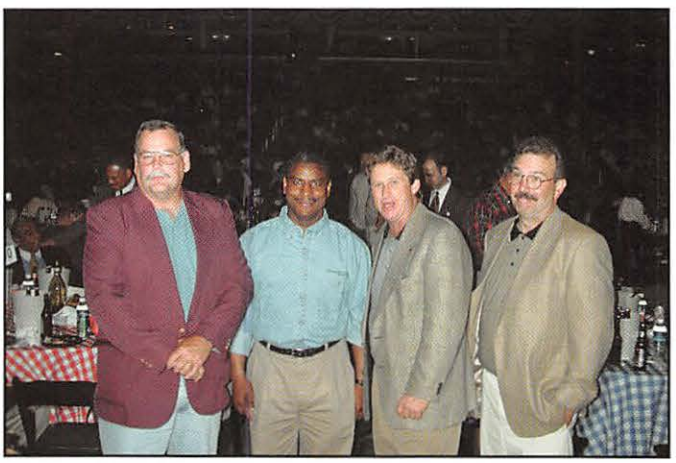
BRS members attend fund-raiser sponsored by the Democratic National Committee, pictured l-r, M.J. Ciurej, S.E. Clark, W.D. Pickett, F.E. Mason, L. Parker, Jr., S.R. Ellison, Naomi McArthur and J.O. McArthur.



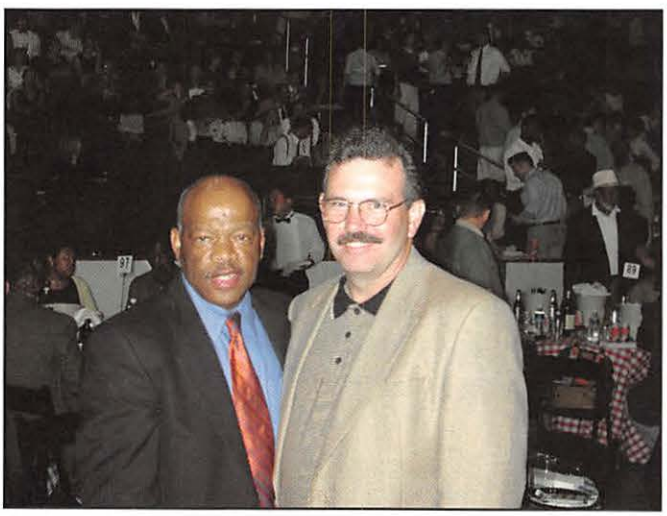
Minority Leader Dick Gephardt stops for a picture with International Vice President Floyd Mason.



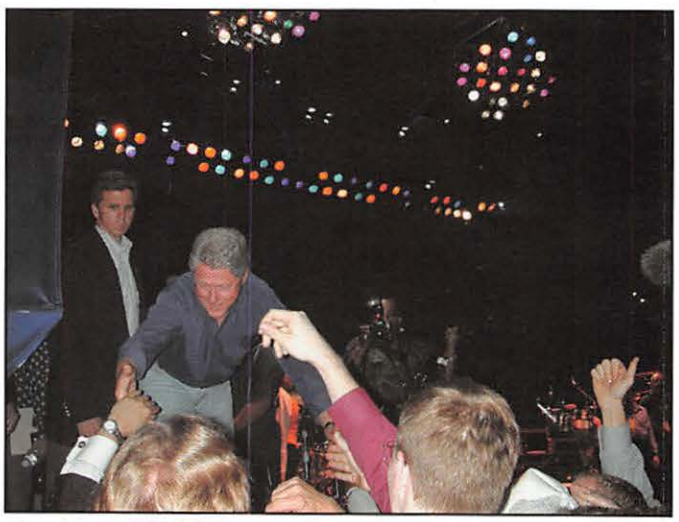
International Vice President Floyd Mason and International Secretary-Treasurer Walt Barrows with Secretary of Transportation Rodney Slater.



General Chairman Steve Ellison, Secretary of Transportation Rodney Slater, General Chairman Eldon Luttrell and International Vice President Dennis Boston stop for a picture at the DNC fund-raiser.



International Vice President Dennis Boston with Representative John Lewis (D), Georgia.



President Bill Clinton shakes hands with supporters after a speech at the DNC fund-raiser.

BRS Lobbies for Railroad Retirement Reform

Congressman James L. Oberstar addresses BRS members at a luncheon in the House Transportation Subcommittee Chambers.

METRA General Chairman Mike Owens and International Vice President Midwest Joe Mattingly assist BRS in lobbying effort.

BRS members fill out contact sheets for the congressmen and senators that they have met.

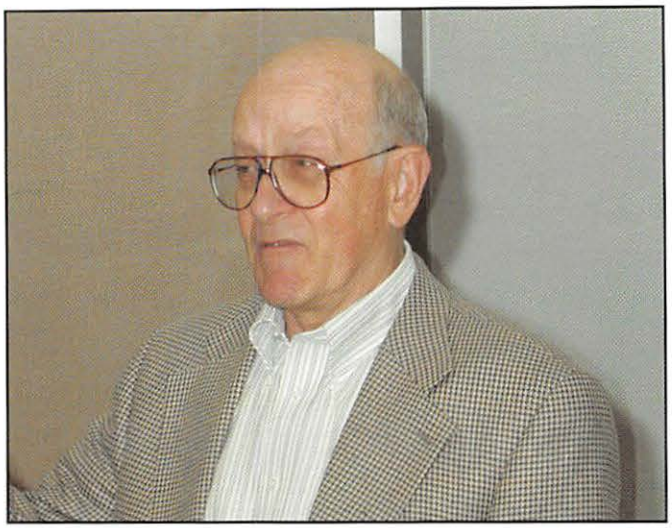
BRS members and families discuss lobbying efforts at luncheon.

BRS Illinois delegation discuss Railroad Retirement Reform with Legislative Correspondent Sarah L. Allen, aide to Illinois Senator Peter G. Fitzgerald.

Director of Research Tim DePaepe explains the effect of the cost-of-living adjustments on the surviving spouse annuity under the proposed legislation.

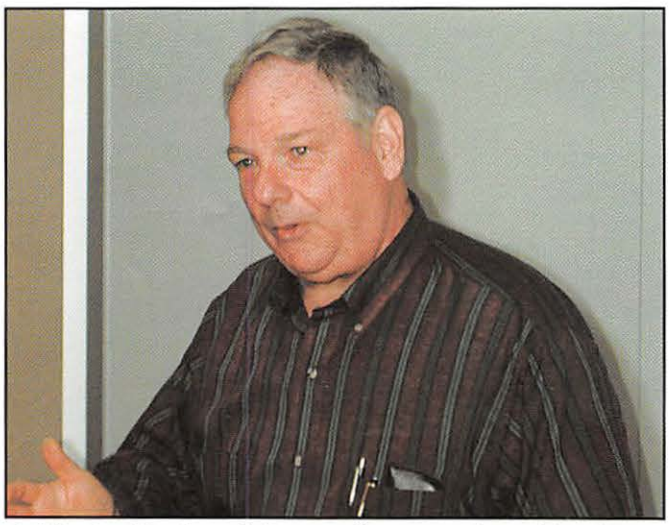
General Chairman's Training

International Vice President C.A. McGraw gives an overview of material to be covered.

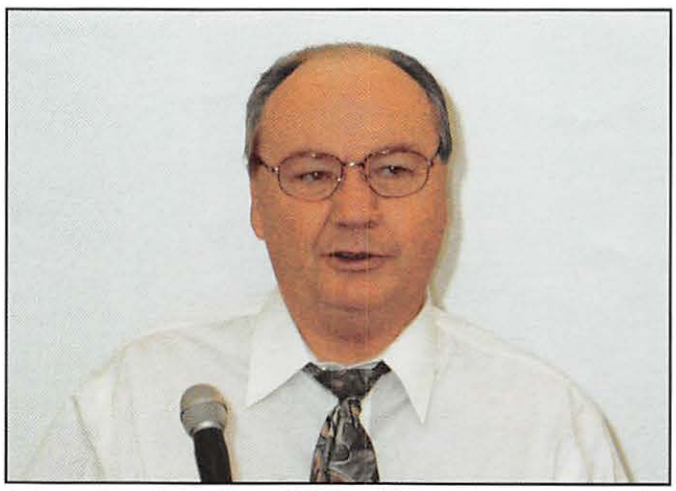


Dr. Marvin J. Levine, Professor from the University of Maryland, presents a class on negotiating skills.

Attorney Rich Edleman explains employee protection in the railroad industry.



Arbitrator Stephen J. Rosen discusses the arbitration process under the Railway Labor Act.



International President W. Dan Pickett congratulates the participants and the instructors for a productive training session.

International Secretary-Treasurer W.A. Barrows recaps the weeks events and thanks the participants and instructors.

General Chairman's Training

Attendees at the General Chairman's Training at the George Meany Center, bottom row L-R, J.O. McArthur, Dr. Marvin J. Levine, G.E. Jones, D.L. Gray, Jr., B.M. Wilson, E. L. Luttrell, J.K. York and S.R. Ellison. 2nd row L-R, W.H. Little, R.G. Demott, K.T. Poole, W.H. Keebler, C.T. Green and J.W. Raper. 3rd row L-R, C.A. McGraw, J.C. Boles, C.J. Warner, W.A. Barrows, W.D. Pickett and W. Fischedick. Top row L-R, F.E. Mason, L. Parker, Jr., J.L. Mattingly, S.E. Clark, T.J. DePaepe, M.J. Ciurej, W.L. Phillips and C.W. Easterling.

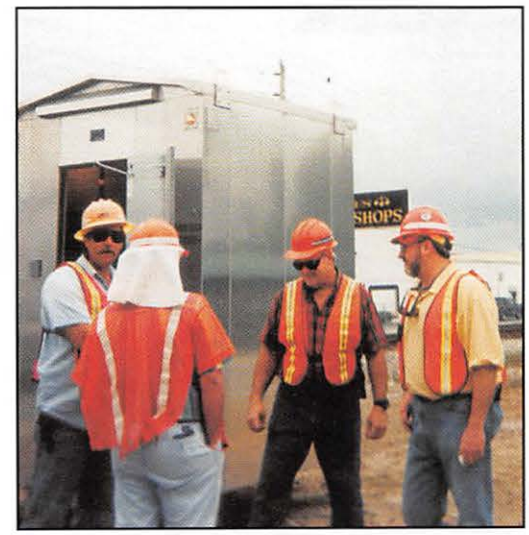
Training participants listen to presentation by Dr. Levine.

Training participants listen to presentation by Dr. Levine.

Training participants listen to presentation by Dr. Levine.

BRS General Chairman Gus Demott Meets With BRS Members

General Chairman Gus Demott on left with Local 16 members: Foreman J.L. Henry and Signal Gang 7X17, Foreman C. Stewart, III and Signal Gang 7V04, Local Chairman J.M. Bennett and Maintainer A. Perez at Opa Locka, FL.

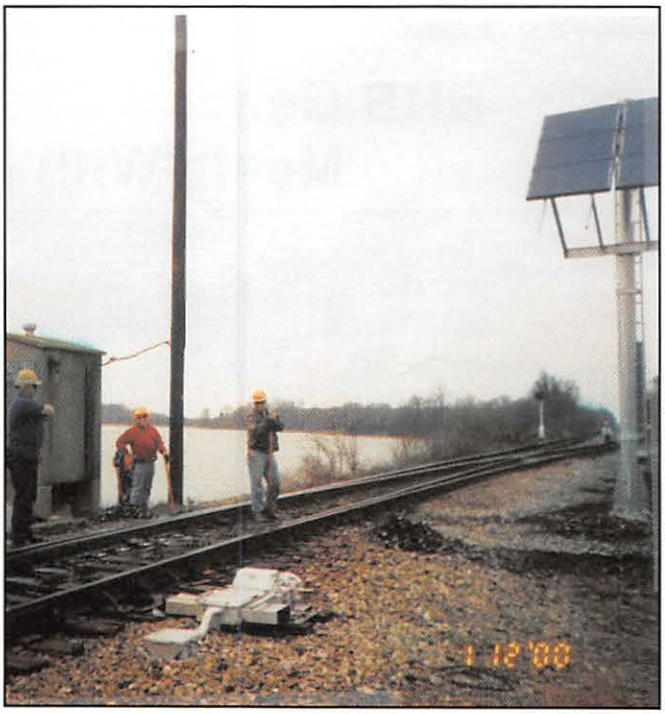


General Chairman Gus Demott (right) participating in a job briefing with Foreman J.E. Deal and Signal Gang 7X10.

PHOTO CONTEST WINNERS FOR JUNE 2000

Flashers, gates and pedestrian gates at M.P. SX1021.5 Hallandale Blvd., Hollywood, FL. Photo submitted by J.M. Bennett, Local Chairman, Local 16.

Signalman Paul Weber finishes banking around solar panel at South Harris. Photo submitted by Signal Maintainer J.W. Harbin, V.P. Local 178.



Signal Inspector N.W. Brown Jr. looks on as signalman Kevin (Nub) Spidle and Ray Ellison dig in cable from solar panel to the control house at South Harris. Photo submitted by Signal Maintainer J.W. Harbin, V.P. Local 178.

Rule 282 approach medium north of Miami, tri-rail approaching Hialeah siding. Photo submitted by J.M. Bennett, Local Chairman, Local 16.

BNSF Signalman Knute Gustafson wiring x-ing signal at Lovill, WY. Casper Subdivision, Colorado Division. Photo submitted by G.T. Urfer, Local 87.

Signal Inspector Loren Wetch checking x-ing at Dickinson, ND, Dakota Division BNSF. Photo submitted by G.T. Urfer, Local 87.

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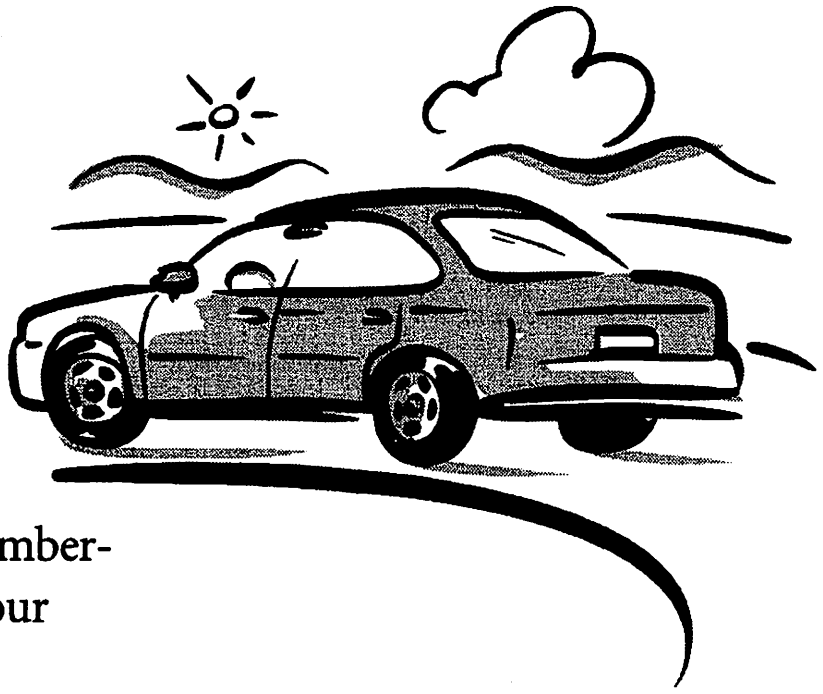

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